

**Exhibit H**



1 response).

2 MR. MACLAY: Discussions might be productive. I don't  
3 think that mediation would be.

4 THE COURT: Uh-huh (indicating an affirmative  
5 response).

6 MR. MACLAY: I think that, in particular, an imposed  
7 mediation would be counterproductive. I would ask that your  
8 Honor not order mediation at this time.

9 THE COURT: Uh-huh (indicating an affirmative  
10 response).

11 MR. MACLAY: And if there were going to be a future  
12 motion for mediation, we can see, you know, how it sits in that  
13 kind of appropriate procedural context. But we, again, we've  
14 been listening.

15 THE COURT: Uh-huh (indicating an affirmative  
16 response).

17 MR. MACLAY: We've been hearing your Honor's comments,  
18 we've taken them into account, and I can promise you we're  
19 acting upon them and we'll just have to see how things play  
20 out. But we don't think a mediation would be helpful.

21 THE COURT: Well, we'll, we'll factor all that in with  
22 everything else. I, I generally -- and the local lawyers will  
23 tell you -- I generally am of the viewpoint that I trust the  
24 attorneys normally to be able to negotiate their problems away  
25 if they're negotiable and generally don't impose mediation over